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ABSTRACT

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RESEARCH PERSPECTIVES ON STATE LEGISLATURES AND EDUCATION POLICY

Richard Lehne and Alan Rosenthal*

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*The authors are, respectively, Associate Professor and Professor of Political Science at the Eagleton Institute of Politics, Rutgers University.

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Abstract

This paper isolates four research perspectives which have guided analyses of state legislatures and education policy in the past, and it presents research judgments which it believes will help the Law and Government Program of the National Institute of Education identify promising research directions in the future. While it acknowledges that few works have focused explicitly on the role of state legislatures in the conduct of education policy, the paper cites major works examining either state legislatures or state education policy which rest on analyses of institutions, individuals, policies, and interactions. The authors believe that useful research approaches would explore limited institutional phenomena rather than generalized descriptions; the relationship between individual behavior and legislative structures; policy processes for program revision, oversight, and appropriations; the impact of an enhanced legislative role on activities and forms of education policy; and the interactions among institutions responsible for the conduct of education policy. Attention to the priorities, deadlines, information sources, and daily burdens of education--policy practitioners is urged. These views are the authors and not necessarily those of the Law and Government Program or of any part of the National Institute of Education.

Twenty years ago there would have been little reason to draft this paper. State legislatures then seldom became involved in debates about elementary and secondary education policy, and they participated only slightly more in the formulation of policies which governed post-secondary institutions. Departments of education, teacher associations, school boards, university communities, and professional educators dominated discussions of school policy.

Educators today are no longer the unchallenged masters of school policy. In the last two decades, state legislatures have come to occupy a critical place in debates of education policy, as they have in other policy domains as well. Legislators no longer allow others free rein to decide education policy issues or to determine how much money will be devoted to the schools. Today they insist on a prominent role for themselves. The state legislatures of the 1980's are independent and aggressive institutions of government, and they have already begun to exert significant influence on state departments of education, educational interest groups, local school boards and on the activities of school personnel at the district level.

The contemporary and emerging state legislative role in education provides a major focus for research that could be funded by the Law and Government Program of the National Institute of Education. It should not be the only research focus for the Program, but it would be a useful addition to a short list of topics. Thus far, little research has been devoted explicitly to the examination of legislatures and education, although work has been done on state legislatures and also on education in the states.

The purpose of this paper is to explore research issues on the role of legislatures in the formulation, implementation, and management of

education policy. It isolates four distinct research perspectives which have guided most of the studies done in the past and which could help to identify promising areas for investigation in the future. The perspectives which organize our discussion of the role of legislatures in education policy could just as effectively shape an analysis of the role of state departments of education. In fact, there is a striking similarity between the perspectives employed here and the approaches defined in Jerome Murphy's paper on departments of education.

Our first perspective is that of institutions, specifically the overall role of legislatures as governmental bodies in education. The second perspective is that of individuals which concentrates on the attitudes, orientations, and occasionally behaviors of legislators vis-à-vis education. The third perspective is policies which encompasses several sub-perspectives. The first of these sub-perspectives analyzes the political, economic, and societal determinants of the educational policies enacted by a legislature. The second evaluates the policy process and deals more intensively with activities from formulation through mobilization to decision by which a proposed education policy becomes a law. The third policy sub-perspective focuses on implementation and goes beyond enactment to examine the administration and the delivery of services. Finally, some students of policies evaluate the effects of programs on schooling, on governance, and on the distribution of values, and this constitutes the last policy sub-perspective. The fourth general perspective defined here concentrates on interactions among institutions, including legislatures with federal and local agencies on a vertical axis and legislatures with excecutive and judicial branches

on a horizontal one. The conclusion of this paper comments briefly on the importance of considering research decisions from the perspective of the practitioner.

The discussion of each of these perspectives briefly reviews the research work already done or underway, points to major issues that can be explored by means of the perspective, and assesses the general manageability and utility of such future research. Our objective in this paper is to clarify issues and suggest directions, and we do this on the basis of our own notion of who the clients and audience for such research should be. It is the needs and concerns of these audiences which guide our judgments. The first audience is the staff of NIE's Law and Government Program, and the staff of the Institute's Education Policy and Organization division. Second is the state legislative education community itself, including legislators, staff, and related groups. They need to know more about the processes in which they play a role. Third is the federal educational establishment, the new Department of Education and the education subcommittees on Capitol Hill. They can benefit from more systematic feedback on how state legislatures are dealing with federal policies, funds, and regulations. Finally, there is the academic research community--in both universities and contract research firms--which is engaged in inquiry and training. That community needs strengthening and some expansion, and a small but energetic research program in Law and Government studies could be of assistance.

Institutions as a Perspective

Twenty years ago, as most legislatures were just beginning their development as modern political institutions, Thomas A. Eliot published an important review article in the American Political Science Review. The argument which he presented had been taking shape for some time, but it had lacked the clear expressions which Eliot provided. He contended that educational activities in the United States could best be understood by rejecting the assumption that schools operated nonpolitically. Schools, he asserted, were institutions guided by governing principles analogous to those which directed all other political structures in the country. Our knowledge of school governance would be enhanced, he believed, by applying to education the same methodologies and assumptions which were used to explore the workings of other governing institutions and to evaluate the characteristics of other public policy areas. Since Eliot's article, the field of the politics of education has blossomed, and the states have been recognized as one element in the politics/education scene. As part of the state governmental framework, legislatures were cast in the role of institutional actors in the conduct of education policy, but they were seldom given a leading part.

On the one hand, a number of political scientists began exploring state legislatures as political institutions. Efforts to reform the meaning of the constitutional standards for legislative apportionment and subsequent attempts to measure the impact of the "reapportionment revolution" aroused widespread interest in the operations of state legislatures in the 1960's. In the early 1970's, thanks to support given the American Political Science Association by the Ford Foundation, about fifteen studies of individual state legislatures emerged--most notably volumes on Illinois by Samuel Gove et al., on Oregon

by Lawrence Pierce, et al., on Kansas by Marvin Harder and Carolyn Rampey, on Connecticut by Wayne Swanson, on California by Joel M. Fisher and his colleagues, and on Wisconsin by Ron Hedlund.

On the other hand, a few political scientists embarked on studies of politics and education at the state level. Among the earliest and best of these were Schoolmen and Politics by Stephen K. Bailey and his associates and State Politics and the Public Schools by Nicholas Masters, Robert Salisbury, and Thomas H. Eliot. The first book examined state aid to education in the Northeast from the vantage point of coalitions of educational interest groups, but it mentioned legislators only in passing and then primarily as targets of influence. The second book also approached its subject from the viewpoint of educational interest groups, this time in Missouri, Illinois, and Michigan, but it paid more attention to legislative institutions. This work viewed legislatures as arenas in which school needs were considered, and it attempted to isolate the characteristics of legislatures which affected how education issues were decided.

Since then there have been other noteworthy studies of this type. Lawrence Iannacone's Politics in Education has had a substantial impact on studies of relations among interest groups, but it brushed lightly over legislatures. The Educational Governance Project at Ohio State undertook a number of single state studies and produced a major volume, State Policy Making for the Public Schools, by Roald F. Campbell and Tim L. Mazzoni, Jr. One chapter by Alan AUFderheide was entitled, "Educational Inte est Groups and the State Legislature," but it was concerned with groups and their legislative influence and paid virtually no attention to legislatures per se.

Another chapter on governors and educational policy making devoted somewhat more attention to legislatures, but it does not constitute a complete examination of the topic.

In sum, legislatures have been studied only incidentally in the state politics and education literature. Further confirmation of this point is found in an examination of two recent texts--The Political Web of American Schools by Frederick M. Wirt and Michael W. Kirst, and School Finance: The Economics and Politics of Public Education, by Walter I. Garms, James W. Guthrie, and Lawrence C. Pierce. In the former legislatures are dealt with in two paragraphs while in the latter they are treated hardly at all.

Although there has been commendable work both on legislatures and on the politics of education, we still know relatively little about legislatures as political institutions involved in educational policy. On the basis of past research, we can conclude that institutional structures differ from state to state and even from one time to another and that political actors come together in different ways in different settings. Unfortunately, the accuracy of the detailed knowledge which has been derived from conceptually unguided descriptive research is likely to be transitory. Furthermore, the nexus between the causal variables specified in these studies and the educational policy decisions which they examine is so attenuated and complex that there is little prospect of demonstrating how one affects the other.

Future research choices in this area must be made with caution because institutional structures are constantly changing and because the relevance of findings from one situation to any other is problematic. While some periodic mapping might be productive, greater insights may be gained from

separate inquiry into more carefully defined institutional phenomena.

One such phenomenon is certainly the issue of legislative staffing. In the past ten to fifteen years there has been both a dramatic growth in professional staffs and a proliferation of all types of support services. This increase in legislative capacity has contributed to the changing nature of state legislative involvement in education. The role of staff and the utilization of staff research and information has already received some attention--by Randy Huwa and Alan Rosenthal, with respect to education and other standing committees in five states, and by Douglas E. Mitchell, in his analysis of the impact of social science on legislative decisionmaking. The subject merits additional exploration.

Other work is currently underway which may also prove useful. With a grant from NIE, Alan Rosenthal and Susan Fuhrman are mapping the terrain of "state legislative education leadership." They hope to describe structural patterns of legislative involvement in many, if not all, of the states and to analyze the careers and characteristics of legislative education staffers and leaders.

Individuals as a Perspective

Another tendency in political science research on state legislatures in recent years has been to concentrate on legislator attitudes and orientations which could be uncovered by means of structured questionnaires. It has proven difficult, however, for work of this type to link attitudes and orientations of legislators to their actual behavior.

When political science underwent a behavioral revolution in the late 1950s and 1960s, the individual actor emerged as the dominant unit of analysis.

One of the first and most influential studies which reflected this development was The Legislative System, subtitled Explorations in Legislative Behavior, by John C. Wahlke, Heinz Eulau, William Buchanan, and LeRoy C. Ferguson. It focused on legislators in four states and attempted to document their orientations toward style of representation, state and district, parties, interest groups, and objectives of the job. Interestingly, a number of the questions asked in interviews concerned school needs, but little use was made in the study of this information.

A byproduct of the Wahlke study was a monograph by Ferguson, funded by the Cooperative Research Branch of the Office of Education. How State Legislators View the Problem of School Needs was faithful to its title in that it analyzed the four state survey responses to the school questions. It described legislator perceptions of education problems, sources of advice and influence, and perceived attitudes of fellow members, constituents, and lobbies, and it sought to identify the correlates of the different education attitudes which it discovered.

Since then legislative research has continued to pay considerable attention to the attitudes and perceptions of legislators. Although the ostensible objective of this research is to analyze the legislative system, the principal results are to describe and categorize individual--rather than institutional--characteristics. Educational Policy-Making in the State Legislature: The New York Experience, by Mike M. Milstein and Robert E. Jennings, would be located in this class of work as would Mitchell's Social Science Impact on Legislative Decision Making. This volume encompasses an ambitious range of issues including a reconceptualization of the entire legislative

process. Despite its breadth, however, the major emphasis of this study is on the individual and specifically his orientations toward decision-making authority, reference groups, style, and mechanisms.

Research into the attitudes and orientations of individual legislators has utility when such dispositions can be linked to behavior. The characteristics of legislative personnel have been changing markedly in recent years, and members today differ significantly from those of the past. They are a more diverse group, they possess more intellectual credentials, they devote more time to their legislative jobs, and they are more likely to regard politics as their vocation. Rosenthal discusses these changes in his forthcoming book, Legislative Life: People, Process, and Performance in the States.

Legislators today are more assertive, ambitious, and resourceful than in the past, but the manner in which they seek to promote their objectives will be dictated by the structural and political forms of the separate states. In the legislatures of most states, fragmentation seems to be taking place. Tasks are becoming more specialized, leadership is becoming more diffused, and members are becoming more independent. A coherent legislative position in a major policy debate or in a significant intra-governmental conflict is rare today. Individual orientations and behaviors occur in structural settings and it is our view that legislative activity can best be understood only when legislative structures and member orientations are examined in relation to each other.

Our advice is to view cautiously research designed primarily to amplify

what legislators feel, think, or see. Probably the most useful research in this area would explore directly member incentives for participating in education policy decisions. In what ways are legislative careers furthered and legislative ambitions satisfied by leadership or involvement in educational issues, and in what ways are they hindered? How do people get involved in these issues and what keeps them going? What happens to state legislative education experts after they leave their posts, and how have their education experiences affected their subsequent careeers?

Has the more conflictual political environment for education policy affected legislators in specific ways? Has it guided the choice of issues to be discussed and of positions to be taken? How have the political activities of teacher associations and the growing intensity of public scrutiny of legislative activity affected member behavior? Has the conflictual nature of education politics and the assertiveness of the members affected the policy decisions which have been made?

Most important are the variations in legislator incentives from state to state and the various ways legislators seek to realize their personal objectives. What changes can be made in the incentive structures in the states, how, and by whom? Finally, the critical issue of how individual member incentives contribute to the capacity of the legislature as an institution or detract from it must be examined more explicitly.

Policies as a Perspective

Another topic which has been widely explored in the literature on state politics and education is that of public policy itself, but unfortunately this exploration has usually given only slight consideration of the legislative role in education. Four approaches can be distinguished here: first,

concentrating on the determinants of education policy; second, on the process by which education policy is formulated and enacted; third, on its implementation; and fourth, on its effects.

Determinants

Research on determinants of policy attempts to isolate the factors that account for the enactment of specified public programs. One research strand, sometimes known as input-output analysis, was heavily influenced by work done in public finance. It sought to identify the independent variables which statistically explained variations in the dependent variables. Thomas R. Dye's Politics, Economics, and the Public: Policy Outcomes in the American States and Ira Sharkansky's Spending in the American States are early exemplars of this persuasion.

For Dye one of the dependent variables, educational policy, was specified by school expenditures, dropout rates, adult education levels, and so forth, and the independent variables were factors such as economic development, partisanship, party competition, and malapportionment. For Sharkansky, too, expenditures were the major dependent variables, but he included more diverse state-specific political factors among the causal variables. The general conclusion of this type of research was the political variables had little impact on the education policies enacted.

One other study in this vein deserves mention. The Politics of Education in the States, by Harmon Zeigler and Karl F. Johnson, also examines by statistical means resource inputs and policy outputs. The latter are

mainly expenditures, while the former are economic, demographic, structural, and political characteristics of states. The investigators find generally that educational policy outcomes are determined by the interplay of environmental factors, the characteristics of the political system, the personal characteristics of legislators, and the relations among them.

The other research strand in this area, while also concerned with an explanation of policy outputs, does not investigate a wide array of potentially explanatory factors. It analyzes only legislative district characteristics and constituent attitudes in its efforts to account for the roll-call voting behavior of legislators in various policy domains. This research thrust derived from an article by Warren Miller and Donald Stokes in 1963, which examined constituency influence on Congress in the domains of civil rights, social welfare, and foreign policy. Studies by Robert S. Eriksen et al., Donald McCrone-James H. Kuklinski and many others have explored the question of representative-constituent linkage at the state level in such places as Florida and California.

From the standpoint of legislatures and education policy, this concern with determinants is not very promising. The correlation of expenditures with a myriad of factors has provided little in the way of useful findings other than the recognition that past programs and current wealth are closely related to existing policies. The correlation of roll-call votes with district demographics, votes in referenda, and constituency attitudes has increased our understanding of representation, but it has furnished little insight into the policy making process in education.

Process

This approach conceives of policy making as a political process composed of discrete stages. Designating problems for consideration, formulating alternative responses, mobilizing support, deliberating, and enacting legislation usually constitute the stages.

The classic illustration of the process approach is the case study of how a bill becomes a law. While there have been a number of case studies at the congressional level, the fact is that there are surprisingly few similar studies of action in the states. A recent exception is Politics Backstage: Inside the California Legislature, by Michael J. Bevier, which traces the progress of a legislative package designed to create a state agency to subsidize housing for low- and moderate-income families. In the field of education, one of the few published case studies of the enactment process is Richard Lehne's Quest for Justice whose primary focus is the New Jersey Supreme Court and the case of Robinson v. Cahill. In this account Lehne details how the Court, the legislature, and the executive all were involved in producing a new school finance law and an income tax to fund it.

Much useful research still needs to be conducted on the policy process, either within a single state or comparatively in a few states, with either one or several education policies as the prime subject. Such research becomes even more important when we acknowledge the changes that are currently taking place in legislatures and their environments. The number

of interest groups has grown tremendously of late, and their activities have become more intense as governmental responsibility for solving societal problems has expanded. Many more sectors of society look to state government for solutions to their problems, and many more groups are organized to press their positions. The fragmentation of legislative structure, the new openness of legislative operations, and the decline of political parties have taken from legislators some of their shields against public and interest-group pressure. Greater public scrutiny, increasing partisan competition, and enhanced electoral instability at the local level all contribute to a sharpened sensitivity by legislators of district preferences and district needs. All of this makes study of the legislative process and education policy particularly appropriate today.

This process perspective is appealing since it corresponds to the project nature of most research endeavors, with a specific beginning and a specific end. Regrettably, the apparent suitability of this approach is contradicted by the manner in which most state educational decisions are made today. Very infrequently nowadays do fresh educational problems arise from the society which are solved by legislatures creating new solutions. Almost every problem today seems to be related to something that is on the statute books already. More and more frequently, legislators are faced with programs that are not yielding satisfactory results; instead of creating a new activity, they must amend previous legislative decisions and alter existing legislative forms. As Eugene Bardach has noted, few programs will work as originally designed; almost all must be adapted to changing circumstances, developing

information systems, and enhanced administrative capacities. There will probably be less learned in the future from studies which analyze how new issues are placed on the legislative agenda, at least at the state level, and more utility from efforts to determine what factors facilitate or impede the amendment of already existing programs.

Our image of legislative policy making is shaped by activities surrounding the enactment of new laws. Yet, the state budgetary process is an equally significant--or even more significant--form of state policy making. There is little research on budgetary processes in the states, and little is known about the relationship between state appropriations and state education decisions. Analyses of school finance controversies have demonstrated that funding issues are often distinct from education questions and that they usually involve different participants. What are the various models of the nexus between education and finance decision-making in the states and what is their significance? Are categorical programs more resistant to budget cuts than general formula aid, and if so, what is the significance of this fact? How has increased budget information in legislatures affected these relationships and the state budget process generally?

One topic which which has received attention in recent years is the utilization of expertise, innovation, and research breakthroughs by state legislators in their policy making activity. Examinations of this issue generally rest on an implicit mechanical analogy. They posit that an answer

to some legislative problem has been discovered in a university or corporate laboratory and some way must be found to tell legislators about it. This analogy fails to distinguish among types of expert information, and it ignores the ambiguous significance of most social science research.

Expert information relevant to legislators includes data on program operations, concrete legal conclusions, technical findings, and social science research. In Politics and the Professors, Henry Aaron has recently demonstrated the tenuous relationship between social science findings and federal policy judgments. The linkage he discovers between the "laboratory" and the policy maker was usually through a media-oriented popularizing agent, and the research findings which he notes were cited in policy documents normally coincided with previously established policy preferences. Social science usually does not solve issues; at best it clarifies them, and more typically it confuses them. Political movements generally require clarity far more than accuracy. With vast staff resources, the national legislative branch has not been able to discover mechanisms to achieve greater utilization of social science information, and it is doubtful that state legislatures will do much better in the near future.

Information on program operations and legal findings is not only less ambiguous than social science research, but it is more closely related to immediate legislative needs. Efforts to understand and to create procedures to promote the utilization of expertise by legislatures should focus on the types of information which are most relevant to legislative needs.

Assuming that state legislatures will be playing a more assertive role

in education policy making in the years ahead, we need to discover the implications of that expanded participation, and we need to devise models to guide the participation in constructive ways. Who will benefit from a greater legislative role in education issues--teacher associations, taxpayers, administrative agencies? What are the typical costs of legislative involvement? Will there be identifiable consequences of expanded legislative activism for specific education policies? Will growing legislative involvement in education finance, for example, make it more difficult to accomplish the redistribution of educational resources from one set of legislative districts to another? Should new policy tools be devised to accommodate legislative assertiveness? Would it be more effective in the future to relate education assistance to individual student needs which exist in every legislative district than to continue to direct most state aid to school districts per se?

Implementation

The literature on implementation is of relatively recent vintage, but already it has had an impact on how people people think about public policy. No longer are the consequences of a policy taken for granted merely because laws have been enacted and regulations promulgated. Recent research has demonstrated that unpredicted events frequently occur during the implementation of a program, and the significance of these events must be ascertained before the effects or effectiveness of a policy can be gauged and before remedial amendments can be devised.

Much of the implementation literature has concentrated on programs at the federal level, but some important and excellent works attend to the states. Eugene Bardach's The Implementation Game presents a cogent conceptual analysis and provides a number of empirical illustrations on the basis of mental health reform in California. The book is a landmark in the field. On the subject of education, there have been a number of valuable studies, only a few of which will be mentioned here. Of tremendous signficance has been the work by Rand, especially the "change agent study" and Volume III. The Process of Change, by Peter W. Greenwood, Dale Mann, and Milbrey Wallin McLaughlin. While major interest was in the response of school districts, the study also treated implementation of change agent programs by state agencies. Paul Hill's essay, "Enforcement and Informal Pressure in the Management of Federal Categorical Programs in Education," provides a useful summary of Rand findings as it compares centralized enforcement procedures with informal management systems. The Rand studies examine federal programs and agencies, state departments of education, and local educational agencies, but they pay virtually no heed to state legislatures. Only one state implementation study acknowledges the legislative role. Richard Weatherley's Reforming Special Education concentrates on the "street-level" response to a new law in Massachusetts, but it also presents an interesting picture of state enactment and implementation.

Implementation is not usually conceived to be a legislative matter. Until recently, in fact, legislatures paid hardly any attention to a policy or program once it was enacted into law. Even matters of funding seemed to be given short shrift. Implementation was an administrative matter,

and not the legislature's responsibility. It is not surprising, therefore, that research has not uncovered much of a legislative role.

In the past few years, however, legislatures have begun to take a keener interest in oversight, performance auditing, evaluation, and program review--which are all designed to uncover whether, to what extent, and how effectively administrative departments and agencies are implementing state policies and programs. Studies of legislative oversight are now beginning, with several being conducted by the Eagleton Institute. The Effectiveness of Legislative Program Review, edited by Richard E. Brown, provides examples of legislative audit-evaluation in seven states. Eagleton's Oversight Development Project will explore the utilization by the legislative and executive branches of audit-evaluation in seven or eight states to determine how implementation is affected by legislative oversight.

Directly or implicitly legislatures are recognizing that they have much to do with policy implementation issues. Implementation problems can appear in many forms: agency departures from legislative intent; legislative inability to make choices among conflicting purposes and procedures; the failure to provide adequate financial and administrative resources to achieve objectives; and the design of programs which are too ambitious or complex to be implemented.

Studies analyzing the decision standards for legislative activities in examining implementation and conducting oversight would be particularly useful. We need to learn more about how legislators make their judgments and derive their information about the implementability of statutory proposals. A recent study of the types of information desired by federal education legislators concluded that issues of implementation and administrative burden were far down the list of concerns. Do state legislators devote any more attention

to the consideration of how their enactments will be implemented? Where do they turn for advice on the implementability of a program? Are the responses they receive accurate? Does attention to implementation restrain the enactment of new programs? Does it expand the influence of administrative agencies and established groups? Does it lead to more effective programs?

We would also benefit from further study of the impact of legislative oversight. The prevailing assumption is that analyses of program operations are requested by legislators and others who want to undermine public support for specific programs, and the general conclusion is that program analyses usually accomplish this result. These views are based on a few incidents which may not be typical of nation patterns or relevant to state activities. In fact, some state legislative reviews of program operations are instigated by program administrators seeking to document their unmet needs while other oversight efforts initiated by program critics are captured by program supporters and used to enhance subsequent state funding. We do not know what motivations are typical, and we do not know what circumstances stimulate which types of evaluations. What leads to legislative oversight of program activities--statutory requirements, budget cycles, public complaints, agency dynamics, changing social problems, legislator entrepreneurship? What is the result of the analysis on subsequent appropriations, program operations, and the behavior of agency officials? Do the forms of oversight activities or the administrative structure of oversight resources make any difference? Is it possible for a legislature to achieve a high degree of agency compliance with its enactments? Should it even seek to do so?

Whatever future research on implementation may uncover, existing research findings contain useful lessons for state legislatures. A review of the messages of implementation studies would no doubt sensitize legislators to the problems involved in moving from statutory enactment to policy delivery. Richard F. Elmore has packaged some of these messages in a paper titled "Complexity and Control: What Legislators and Administrators Can Do About Implementation." It argues that policy makers--i.e. legislators--need to distinguish between regulatory approaches, which stress hierarchical control and compliance, and programmatic approaches, which stress delegated control and service delivery capacity. There is a genuine need for more synthesis and for a further packaging of the rich implementation findings for use by state legislators and their staffs.

Effects

The so-called bottom line of educational policy is found not in the implementation of a program but in the effects of the policy on society. What happens in schools and to schooling as a result of first, enactment and then, implementation is the ultimate issue. Do people receive different services, do funds get allocated differently, do teachers teach differently, and do children learn more?

This is where policies are analyzed and evaluated. Indeed, there is a wealth of research on the effects of various federal and state education programs. While the specific conclusions of these studies are not directly relevant to this paper, the use, if any, which state legislatures make of

such research is significant. The NIE-funded study by Mitchell and the ongoing work by Rosenthal and his associates at Eagleton explore this question. Another effort to examine this issue is contained in "Use of Educational Evaluation and Policy Studies by the California Legislature." Written by Joan S. Bissell, a member of the Office of the Auditor General in the state, the article discusses the factors which enhance the utility of program evaluations for legislators. In terms of legislatures, what seems to be important is not analysis and evaluation per se, but rather how analysis and evaluation are used in the legislature's performance of its policy making, appropriations, and oversight functions.

Other types of policy effects are also important to examine. These consequences of programs affect the structure of governance rather than the performance of schools themselves. The revised school finance formulas, the accountability and assessment systems, the accreditation procedures, and teacher certification processes all deserve study to determine how the legislature fashions its role and how it handles the information that is produced. This area, of course, overlaps that of policy implementation, since it is difficult here to separate first- and second-order administrative effects.

Effects of policy in terms of values is the third category that merits close scrutiny. Two values of concern to both federal and state policy makers are <u>efficiency</u> and <u>equity</u>. Federal and state policies, legislative performance, and administrative routines should all be evaluated from perspectives of these values.

Demonstrating programmatic effects is a difficult business, but an effort already being financed at a generous level by federal grants and contracts. It would be presumptuous to believe that a small grants program could contribute much more in this area. What it could contribute, however, is greater awareness of effects of programs on structures of governance rather than on education or learning itself.

Interactions as a Perspective

A neglected area of research on state legislatures and education focuses on the interactions among governmental institutions--vertically from one level to another and horizontally among different organizations at the same level. We normally examine organizations as if they were autonomous agencies whose behavior is internally determined. The growing volume and complexity of inter-organizational relationships in the United States has rendered this approach increasingly inaccurate and unproductive. During controversies as well as during ongoing, normal, routine operations, the performance of governmental institutions today is profoundly affected by the decisions of other agencies. State legislative activities are ever more frequently shaped by actions of governors, state education departments, local school districts, Congress and federal agencies. If our forecast is correct, these relationships will become even more important in the years ahead and perhaps even more conflictual. The growing practice of mandating the collaboration of diverse institutions to respond to public needs requires that greater attention be given to events that occur along inter-organizational boundaries.

One important project which examines some of these issues comes quickly to mind--Federal Aid to Education: Who Benefits? Who Governs? This book, by Joel S. Berke, Michael W. Kirst, and associates, includes case studies from six states, and it evaluates intergovernmental relations quite explicitly. The analysis is rich and the findings valuable for policy makers at the several levels and in various agencies, although the legislature's role is far from the central focus.

For the most part, different organizations at different levels of government are based on somewhat different values. Conflict frequently results when organizations with different values are required to collaborate in the provision of a public service. Most participants in such inter-organizational conflicts recognize the legitimacy of the other peoples' values only grudingly. The classical and the contemporary literatures on federalism demonstrate how difficult it is to define permanent standards which can be used to divide policy tasks among diverse institutions and thus preclude value conflicts. The inchoate organization-theory literature has not approached the stage where it prescribes techniques for analyzing these relationships more constructively.

In the absence of any other model, most relationships among institutions are guided by aspirations of control and compliance. Analyses debate whether individual policy tools will be more or less successful in permitting one institution to win its objective in persuading another institution to act to further the achievement of its values.

Much of the policy implementation work, which was discussed above, is relevant to this issue. It suggests the limits of purely "compliance" control systems. We would advocate studies which describe the different

forms of relationships between state legislatures and departments of education, governors' offices, local districts, and the federal education establishment which may be suitable for different states. How are these relations now conducted? Who are the gatekeepers? What sorts of issues are discussed and what types of questions perceived as proper for legislatures alone? From what types of issues are legislatures excluded entirely? Assuming that state legislatures continue to be assertive in the years ahead, how can they participate most constructively in federal programs? How should state legislatures participate in the reappropriation of federal funds? What are the most constructive ways for state legislatures to affect federal decisions on non-finance questions? Are certain forms of inter-organizational relationships more frequent at some steps in the policy process described above than at others? It is important as well to consider what federal programs do to the institutional capacity and characteristic behavior of state legislatures. Do they strengthen educational bureaucracies at the expense of politicians? Are legislatures essentially bypassed, as the federal establishment organizes support for federal programs in departments of education and among clients at the local level?

These issues are peculiarly difficult to explore on the basis of the effects of a single program in a short period of time. Most research, thus far, has tracked a single issue or policy--either on the road to enactment, along the paths of implementation, or to the destination of effects. The reality of organizational life, however--whether the organization be a legislature, a state department of education, a school district, or local school--is such that single issues seldom operate in isolation. What is felt rather

is the "cumulative impact" of policies, regulations, guidelines and assorted directives received simultaneously from all official sources. The cumulative effect of all these diverse factors may be more or less than the sum of the effects of the individual directives. Factors in combination may have a different influence than the same factors evaluated separately.

"Cumulative impacts" is nothing new, and it makes intuitive sense to practitioners. "That's when it all dumps on you," according to a state legislator. It would be instructive to determine how a state department's view of life, behavior and administration is affected by all the directions and re-directions that come from the federal government, from the governor's office, from the department of administration, and from the state legislature. How does the department adapt to all of it--which directives are ignored, which ones are modified, and which are pursued in their original form? Under what conditions, and why? It would be useful as well to examine the legislature's views of the cumulative impact of federal educational programs and pressures and to isolate the grounds for these perceptions.

The Perspective of the Practitioners

In conclusion, a few notes of caution regarding research programs on state legislatures and education policy must be expressed. If the objective of a law and government studies program is to produce policy-relevant information, choices have to be made and care exercised. Not everything goes; in fact, the criteria for utility are quite limiting. The perspective of the practitioner must be kept in mind.

As far as legislatures are concerned, there must be an understanding of

their characteristics and of their needs, if research is to have more than limited applicability. The nature of state legislatures, as previously suggested, has undergone change in recent years. The most obvious developmental trends are legislative assertiveness, institutional capacity, fragmentation of leadership, expansion of problems and conflicts, individual careerism, and strengthened district orientations. The needs of legislatures are not easy to specify. Legislative politicians, however, are results-minded people who will usually be impatient with information that fails to help them deal with their problems as they see them.

The point is that the clientele--for present purposes mainly legislatures and legislators--must have a need for the results of the research. There are numerous subjects about which we would like to know more, but interest alone is not an adequate basis for choosing projects. The information and insights that are generated ought to relate to activities which people can affect and behaviors which institutions can influence in a relatively short time. The focus should be on aspects of the conduct of education policy which can be manipulated, and manipulated without massive expenditures of new funds. This means that the clients themselves should be involved at least indirectly in the choice of projects.

In addition to matters of selection, there is the important business of dissemination. Only projects whose results can be disseminated effectively merit support. Distributing reports alone is not enough. There must be other forms in which results can be communicated to clients so that their needs can be met. State legislators, as well as others in the policy process, need information at specific times. If a dissemination plan does not correspond to the dates on the political calendar, it will be of little consequence.

The research community is less constrained by deadlines; its members can assimilate research whenever it arrives and in whatever form it is delivered. Those who are actively involved in state legislative education policy, however, pay attention to relatively little in the way of research; what they see must be on time and on target, if it is to be of any use at all.

At the present time, a good deal of potentially useful research is available. But it has not been effectively packaged and transmitted, and thus it has not been utilized as productively as it might be. The findings produced by implementation studies are an example.

Not only must the subject be tailored to the nature and needs of state legislature, but the approach and methodology should also be suitable. We have doubts about some of the techniques used by political scientists. Analyses of legislator attitudes and orientations have not been entirely satisfactory. The use of structured interview instruments has been widely criticized in the literatures on socialization and political psychology, and their suitability for documenting the attitudes of elite legislative populations is even more problematic. The conclusions of many analyses of roll-call votes are also dubious. The significance of specific measures brought to the floor for a vote in a legislature is far from obvious. Since legislation is drafted to skirt specific controversies and facilitate decisions on other measures, the salient factor which determines a member's vote on a single issue is usually obscure. There is also no way to ascertain whether the final bill before the body is typical of the other decisions which the legislature must make in the same policy area.

Much political science research has used the detached individual as the principal unit of analysis. In our view, it is more appropriate to use the individual as a source of information and regard a policy, activity, function, or institution as the principal unit of analysis. What matters about individuals, therefore, is not their orientations and behavior as such, but rather how they relate to the functioning of the legislature as an institution and to the activities of the balance of the political system.

Since each legislature differs from each other and since each is embedded in a particular state political culture, the challenge of generalizing may appear overwhelming. Indeed, there is no way to generalize about legislatures and education policy in all fifty states without distorting as much as is brought into focus. In fact, there is no compelling reason to try to do so. It is enough to search out models or patterns, representing different types of phenomena, without attempting to be exhaustive. To appreciate that a few states represent one structural arrangement, while a few others represent a different arrangement may be sufficient; there is no need to know how to categorize each and every state. It would be wasteful, inefficient, and probably impossible to proceed in any other fashion.

Calculations have to be made--relating to the nature of the client, his needs, the prospects for the effective dissemination of the research, and the adaptability of approach and methodology. The summary calculation must evaluate the relationship of costs to benefits. Are the results likely to make the costs worthwhile? The monetary cost, in funding from NIE, may be the least important cost involved. Much more significant is the burden

which a research project places on state officials--particularly on legislators, their staffs, and executives and administrators in a state department of education. Before we consider asking them to fill out a questionnaire or submit to an interview, we should remember that there are many other researchers sponsored by NIE, HEW, the national government, private foundations, university centers, as well as individual scholars and students, who will also be asking the same officials to take time from their daily business and devote it to an activity which may yield to them little or no benefit. Thus, it makes sense to calculate costs as well as benefits from the perspective of the community of education-policy practitioners rather than from the perspective of the researchers alone. This is not easily done, but it is nevertheless essential to our national goal of a more equitable and effective education system.

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